



Atty Dkt: 50500-963
Application Serial No. 10/046,542

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: Anne Marie
: Sabrina Wehbe
JEFFRIES, William Arthur et al.)
: Group Art Unit: 1633
Application No.: 10/046,542)
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Filed: January 16, 2002)
:
For: METHOD OF ENHANCING AN)
IMMUNE RESPONSE)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Petitioner, The University of British Columbia, having its principal place of business at University-Industry Liaison Office, #103, 6190 Agronomy Road, Vancouver, British Columbia, V6T 1Z3, CANADA, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/046,542, filed 01/16/2002, which is a continuation-in-part of U.S. Patent Application No. 08/817,731, filed 07/21/1997 (now U.S. Pat. No. 6,361,770), which is a continuation-in-part of U.S. Patent Application No. 08/311,442, filed 09/23/1994 (now abandoned), by virtue of an Assignment filed and recorded on 03/16/2005, on Reel/Frame 015905/0313, in the United States Patent and Trademark Office.

Petitioner, University of British Columbia, hereby disclaims the terminal part of the term of any patent granted on the above identified patent application which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent 6,361,770, and hereby agrees that any patent so granted on the above identified patent application shall be enforceable

only for and during such period that the legal title to U.S. Patent 6,361,770 shall be the same as the legal title to any patent granted on the above identified patent application, this agreement to run with any patent granted on the above identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above identified patent application, prior to the full statutory term of U.S. Patent 6,361,770 as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent 6,316,770 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a re-examination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of U.S. Patent 6,316,770 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above.

Further, Petitioner does not disclaim any terminal part of a patent granted on the above identified patent application that would extend beyond the present termination of U.S. Patent 6,316,770, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155,155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on the above identified patent application to the extent provided by law.

The undersigned, being the Attorney of Record for the above identified patent application, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments as mentioned above, and to the best of his knowledge and belief, legal title to the above identified patent application and U.S. Patent 6,361,770 rests with Petitioners, University of British Columbia. The undersigned declares that all statements made herein of his own knowledge and true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title

18 of the United States Code, and that such wilful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

By: 

Date: January 18, 2007

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